

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY vs. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: U.S. Army Corps of Engineers, Sacramento District
FILE NUMBER: 200500033

REGULATORY PROJECT MANAGER: Laura Whitney DATE: July 22, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: March 2, 2005 In the Office (y/n) N
At the project site (y/n) Y Date: 22 July 05

PROJECT LOCATION INFORMATION:

State: California
County: Butte
Center coordinates of site by latitude & longitude coordinates: Latitude 39°43'27.1709", Longitude 121°48'10.0036"
Approximate size of site/property (including uplands & in acres): Study area consists of 6.2-acres, isolated waters total 0.418-acres
Name of waterway or watershed: Little Chico Creek

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	√								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown (Use Best Professional Judgement)		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?		√			
Is or would be used as habitat by other migratory birds that cross state lines?		√			
Is or would be used as habitat for endangered species?		√			√
Is used to irrigate crops sold in interstate commerce?		√			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved √

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

1. The site is nearly level. The site supports an annual grassland community with inclusions of wetlands. Two soil types occur site one is the Redsluff gravelly loam and the other Galt Clay. Galt Clay is a hydric soil.

2. Due to the urban growth that has established in the surrounding area of the study boundary there appears, from my site visit 2 March 2005, no outlet for wetland features.